

**CALIFORNIA COASTAL COMMISSION**

SAN DIEGO AREA  
7575 METROPOLITAN DRIVE, SUITE 103  
SAN DIEGO, CA 92108-4421  
(619) 767-2370



June 22, 2005

**Thu 3b**

**TO: COMMISSIONERS AND INTERESTED PERSONS**

**FROM: DEBORAH LEE, SOUTH COAST DEPUTY DIRECTOR**  
**SHERILYN SARB, DISTRICT MANAGER, SAN DIEGO AREA OFFICE**  
**LAURINDA OWENS, COASTAL PROGRAM ANALYST, SAN DIEGO OFFICE**

**SUBJECT: STAFF RECOMMENDATION ON CITY OF SAN DIEGO MAJOR**  
**AMENDMENT No. 2-04B for Commission Meeting of July 13-15, 2005**

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**SYNOPSIS**

The subject LCP amendment was submitted and filed as complete on March 22, 2004. A one year time extension was granted in June, thus, the last day for Commission action is June 22, 2006. This report addresses a portion of the City of San Diego's second major LCP amendment request for 2004. This portion of the submittal addresses the Sunset Cliffs Natural Park Master Plan, to be incorporated into the certified Peninsula LUP segment, and is identified as LCPA No. 2-04B. Part A is the Fourth Quarterly Update approved by the Commission in June 2005. Part C addresses updates to the Carmel Valley Neighborhood 8 Precise Plan which is also on the July Commission meeting agenda.

**SUMMARY OF AMENDMENT REQUEST**

The proposed submittal comprises a master plan document for the Sunset Cliffs Natural Park located within the Peninsula Community Plan area. It also results in the incorporation of the master plan into the Peninsula Community Plan which is the certified LCP Land Use Plan for the Peninsula segment of the City of San Diego LCP. The master plan contains numerous recommendations for improvements to public access, public views, drainage and erosion control throughout the park. The plan has been developed to address the coastal issues which have been identified by the City staff and the community plan groups and interested parties. The plan area covers 68 acres in the Peninsula community plan area. As the boundaries of the park are located entirely within the Coastal Zone, the City has included issues and policies related to the requirements of the Coastal Act.

**SUMMARY OF STAFF RECOMMENDATION**

Staff recommends that, following a public hearing, the Commission deny the land use plan amendment as submitted and then approve the land use plan amendment, subject to suggested modifications. The report has been organized into two policy groups: Public Access (and Visual Access) and Drainage/Erosion Control. A major issue in the LUP is

the completion of a comprehensive drainage plan and the restoration of the eroded areas of the park area from years of uncontrolled runoff and erosion including replanting eroded areas with native vegetation, etc. In addition, protection of public views throughout the park is a concern. Suggested modifications have been included to assure that public views *to* the ocean are protected.

Concerns relating to public access include retention of parking spaces for beach access in the parking lots in the linear park adjacent to Sunset Cliffs Boulevard. Staff is suggesting language be included that will assure prior to removal of any parking due to erosion of the adjacent bluffs that all alternatives first be explored. In any case, such removal of parking shall be the minimum amount necessary with remaining parking areas reserved for public use only.

In addition, on a related point, potential elimination of public access via the Western Loop Road and/or reduction of public parking in the Upper Parking Lot is also a concern. These facilities provide an excellent location for viewing the ocean from a higher vantage point for all members of the public as well as for those individuals who are less amble and enjoy driving their vehicles to a vantage point where they can remain in their cars and enjoy the public views of the ocean from afar. Not only does the upper parking lot provide panoramic views of the ocean, it is also an excellent vantage point for views of the Park itself. Staff is recommending changes to the plan recommendations to make clear these facilities are important public access resources which must be maintained or replaced in similar kind. These facilities should only be modified if suitable alternatives are in place which will maximize public views and public access.

A final concern is the lack of any kind of recommendation protecting public access to the park and shoreline where acquired through use or legislative authorization or potential prescriptive rights. Given the number of existing public access trails to and through the park (68 acres), it is important to assure that potential prescriptive rights be protected consistent with Coastal Act policies.

The appropriate resolutions and motions begin on page 5. The suggested modifications begin on page 6. The findings for denial of the Land Use Plan Amendment as submitted begin on page 9. The findings for approval of the Land Use Plan Amendment if modified begin on page 20.

## **LCP HISTORY**

The Peninsula Community Plan/Land Use Plan is part of the City of San Diego's certified LCP, which contains 12 segments. The Commission approved, with suggested modifications, the Peninsula Community segment of the City of San Diego's Local Coastal Program in on May 22, 1981, with suggested modifications. The Commission found that the decision raised substantial issue with regard to the preservation and protection of Famosa Slough. On August 21, 1981, and again on May 23, 1984, the Commission certified this segment with suggested modifications. A second resubmitted LUP was certified by the Commission on August 27, 1985, and addressed the adequacy

of parking requirements in the near shore areas. A third resubmittal was certified as submitted on July 13, 1988. There have been two prior LCP amendments (No. 2-98B and No. 1-04A) to the Peninsula Land Use Plan. The first was for the North Bay Redevelopment Plan, which encompassed several City of San Diego planning communities, and included a small portion of the Peninsula Community Plan area. That LCPA was approved by the Commission on September 11, 1998 and was effectively certified on July 16, 2004. The second was an amendment to the Peninsula Land Use Plan to redesignate a .39 acre property from Marine Related Industrial to Medium Density Multi-Family Residential and rezone the site from CO-1-2 to RM-2-5 to accommodate a proposed seven-unit condominium project. This latter amendment was approved as submitted by the Commission on November 17, 2004.

### **ADDITIONAL INFORMATION**

Further information on the Sunset Cliffs Natural Park LCP amendment 2-04B may be obtained from Laurinda Owens, Coastal Planner, at (619) 767-2370.

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## **PART I. OVERVIEW**

### **A. BACKGROUND**

Sunset Cliffs Natural Park is located about five miles west of downtown San Diego along the western shoreline of the Point Loma peninsula. It is located within the Peninsula Community Plan (LUP) area, which is a segment of the City of San Diego's certified LCP.

As noted in the master plan, "the scenic and dramatic cliffs bordering the Point Loma peninsula's western shoreline have long served as a natural attraction for San Diego residents and visitors alike. Rising over 300 feet above sea level, the Park site offers expansive views overlooking the Pacific Ocean. Included as part of these remarkable geological formations is "Sunset Cliffs Park", owned by the City of San Diego and to be re-named "Sunset Cliffs Natural Park" by adoption of this Master Plan. The park is a dedicated regional resource-based park encompassing 68 acres of land and spans approximately 1.5 miles of Pacific Ocean shoreline and is contiguous with the 650-acre Point Loma Ecological Reserve on the south.

The park is composed of two areas:

- 1) the Linear Park
- 2) the Hillside Park.

*The Linear Park.* Spanning about one mile from Adair to Ladera Streets, the 18-acre Linear Park is very narrow, bordered on either side by Sunset Cliffs Boulevard and the ocean shoreline. An identifiable park entry or point of arrival needs to be established at

the intersection of Sunset Cliffs Boulevard and Adair Street where the Boulevard opens up to unobstructed ocean views. The Linear Park meanders along the Boulevard and coastline, clearly defined by Point Loma residences on the east and eroding sandstone cliffs on the west. Precariously close to the Boulevard, the cliffs display near vertical drops of 50 feet or more to the beaches and surf at many locations. Promontories, commonly known as “points,” occur intermittently along the Linear Park. These sculptural landforms with more gradual slopes afford the opportunity for agile Park users to walk or climb down and view the water’s edge.

*Hillside Park.* Sunset Cliffs Boulevard ends at Ladera Street which turns east and forms part of the north boundary of the Hillside Park. Here, the character abruptly changes from a narrow cliff side corridor to a Hillside park of 50 acres. The shoreline cliffs continue southwest, but the residential community gives way to natural open space along the west-facing slope of the Point Loma ridge. The Hillside Park is comprised of weathered and eroded land formations sporadically covered with native and non-native vegetation. Over time, the Hillside Park has been greatly affected by adjacent land uses around its borders. These include the Point Loma community to the north, Point Loma Nazarene University to the east and the 650-acre Point Loma Ecological Reserve to the south. The Reserve has various underlying ownerships including several U.S. Navy Commands, the City’s sewage treatment plant, and the Cabrillo National Monument. The Reserve contains high quality, regional, endangered plant communities and associated wildlife habitat. The west side of the Park consists of fragile coastal bluffs, caves, and pocket beaches, the sensitive ecosystem of the inter tidal zone, reefs and surf.

## **B. STANDARD OF REVIEW**

The standard of review for land use plans, or their amendments, is found in Section 30512 of the Coastal Act. This section requires the Commission to certify an LUP or LUP amendment if it finds that it meets the requirements of Chapter 3 of the Coastal Act. Specifically, it states:

### **Section 30512**

(c) The Commission shall certify a land use plan, or any amendments thereto, if it finds that a land use plan meets the requirements of, and is in conformity with, the policies of Chapter 3 (commencing with Section 30200). Except as provided in paragraph (1) of subdivision (a), a decision to certify shall require a majority vote of the appointed membership of the Commission.

Pursuant to Section 30513 of the Coastal Act, the Commission may only reject zoning ordinances or other implementing actions, as well as their amendments, on the grounds that they do not conform with, or are inadequate to carry out, the provisions of the certified land use plan. The Commission shall take action by a majority vote of the Commissioners present.

### **C. PUBLIC PARTICIPATION**

The City has held Planning Commission and City Council meetings with regard to the subject amendment request. All of those local hearings were duly noticed to the public. Notice of the subject amendment has been distributed to all known interested parties.

### **PART II. LOCAL COASTAL PROGRAM SUBMITTAL - RESOLUTIONS**

Following a public hearing, staff recommends the Commission adopt the following resolutions and findings. The appropriate motion to introduce the resolution and a staff recommendation are provided just prior to each resolution.

- I. MOTION:**     *I move that the Commission certify the Land Use Plan Amendment for the City of San Diego LCP Amendment #2-04B as submitted.*

#### **STAFF RECOMMENDATION OF DENIAL OF CERTIFICATION:**

Staff recommends a **NO** vote on the motion. Failure of this motion will result in denial of the land use plan amendment as resubmitted and adoption of the following resolution and findings. The motion passes only by an affirmative vote of a majority of the appointed Commissioners.

#### **RESOLUTION TO DENY CERTIFICATION OF LAND USE PLAN AMENDMENT AS SUBMITTED:**

The Commission hereby denies certification of the Land Use Plan Amendment for the *City of San Diego LCP Amendment #2-04B* as submitted and finds for the reasons discussed below that the submitted Land Use Plan Amendment fails to meet the requirements of and does not conform to the policies of Chapter 3 of the California Coastal Act. Certification of the plan would not comply with the California Environmental Quality Act because there are feasible alternatives or mitigation measures that would substantially lessen any significant adverse impact which the Land Use Plan Amendment may have on the environment.

- II. MOTION:**     *I move that the Commission certify the Land Use Plan Amendment for the City of San Diego LCP Amendment #2-04B if modified as suggested in this staff report.*

#### **STAFF RECOMMENDATION: CERTIFICATION IF MODIFIED AS SUGGESTED:**

Staff recommends a **YES** vote on the motion. Passage of the motion will result in certification with suggested modifications of the submitted land use plan amendment and

the adoption of the following resolution and findings. The motion passes only by an affirmative vote of a majority of the appointed Commissioners.

**RESOLUTION TO CERTIFY SUBMITTED LAND USE PLAN AMENDMENT IF MODIFIED AS SUGGESTED:**

Subject to the following modifications, the Commission hereby certifies the Land Use Plan Amendment for the *City of San Diego LCP Amendment #2-04B*, and finds for the reasons discussed herein that, if modified as suggested below, the submitted Land Use Plan Amendment will meet the requirements of and conform to the policies of Chapter 3 of the California Coastal Act. Certification of the plan if modified as suggested below complies with the California Environmental Quality Act because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the plan on the environment, or 2) there are no further feasible alternatives or mitigation measures which could substantially lessen any significant adverse impact which the Land Use Plan Amendment may have on the environment.

**PART III. SUGGESTED MODIFICATIONS**

Staff recommends the following suggested revisions to the proposed Land Use Plan be adopted. The underlined sections represent language that the Commission suggests be added, and the ~~struck-out~~ sections represent language, which the Commission suggests, be deleted from the language as originally submitted.

1) On Page 30, in Chapter 3 - Planning Approach, under Park Master Plan Program, the last policy under Restoration shall be revised as follows:

Provide visual screening of the lower parking lot from the adjacent neighborhood in a manner not to interfere with ~~favorable~~ public views to the ocean from the public right-of-way (i.e., vegetation shall not exceed a height of about three feet at maturity).

2) On Page 32, under Shoreline Access, add a new policy as follows:

Maintain public view corridors to the ocean from public vantage points.

3) In Chapter 5 under Access and Circulation, on Page 48, a new Recommendation shall be added after Scenic Trail System:

**Public Trails**

The existing public trails and paths shall be maintained except where closing a trail or path is necessary to eliminate impacts on sensitive vegetation and/or to reduce off-shoots from existing trails to protect the fragile coastal bluffs from further erosion. Except as authorized above, development shall not interfere with existing public access to the sea.

4) On Page 51, under Vehicular Circulation, the last paragraph shall be revised as follows:

The Western Loop Road provides access to the Park via a 25-year use agreement (ending in 2017) with the City. Traffic along the roadway impacts the Park, since speeding vehicles pose a safety concern and the road is not screened from Park users' view. Storm runoff along the steep roadway requires comprehensive drainage solutions. With the addition of a pedestrian trail near the roadside, the roadway and adjoining path will offer additional viewing opportunities of the Hillside Park. It would be appropriate to evaluate the usefulness of the roadway in a natural park context when the agreement expires in 2017. However, the public parking facility provides parking for park users and panoramic views of the ocean are offered from this location; therefore, it is an important facility and public resource. Removal of the Upper Parking Lot should not be considered unless alternatives are developed that provide equal or better public access and public views. Alternative access and parking must be in place first, if access is to be eliminated at this location in the future (after 2017).

5) On Page 52, under Vehicular Circulation, the following recommendation shall be revised as follows:

#### ***Western Loop Road***

Install traffic calming devices (e.g. speed bumps, buttons, etc.) for controlling excessive traffic speeds to improve pedestrian safety. Construct a pedestrian walkway (alignment requiring further study) parallel with the roadway, southerly from Upper Parking Lot to base of hill. Connect the walkway to the proposed Park trail system. Provide visual screening of the road from view of Park users west of the Western Loop Road: through planting of low-level (generally, about 3 feet high at maturity) vegetation that does not obstruct public views of the ocean from the public roadway. Implement road improvements to address minimum safety requirements as well as incorporation of comprehensive storm drainage system to eliminate erosion and runoff. If the Western Loop Road vehicular access to the upper Hillside Park and Upper Parking Lot is eliminated after expiration of the City/University use agreement in 2017, investigate removal of the entire Upper Parking Lot area and restoration of native vegetation.

6) On Page 53, under Parking, the following recommendation shall be revised as follows:

#### ***Sunset Cliffs Boulevard Parking***

Maintain on-street parking and off-street turnout parking bays in the short term. All parking lots should be regraded to direct runoff away from the cliffs to prevent cliff erosion. As cliff retreat progresses, remove parking over mature sea caves and replace in areas behind seawalls or other stable areas. Convert off-street turnout bays to head-in street parking spaces to decrease pavement area, reduce potential erosion of the cliffs and facilitate implementation of the primary trail. ~~If it is not feasible to replace spaces lost~~

~~due to turnout parking bay closures on a one to one basis, a decreased number of spaces will be acceptable to meet the overriding need of maintaining public safety. If it becomes necessary to reduce parking in the parking lots adjacent to the coastal bluffs in order to reduce erosion, all feasible measures to replace any removed parking spaces in the immediate vicinity on a one-to-one ratio shall first be explored. If it is then determined that such parking cannot be provided in the immediate area, removal of parking spaces shall be kept to a minimum and said parking areas shall be reserved for public use only.~~ Provide accessible parking at each parking area.

7) On Page 54, under Parking, the last recommendation shall be revised as follows:

***Upper Parking Lot***

Reconfigure Upper Parking Lot to accommodate park needs only. Eliminate excess pavement and regrade area to match surrounding contours, restore area with native vegetation; that does not obstruct public views to the ocean. Retain current number of spaces for daytime Park viewing and access. Provide accessible parking.

8) On Page 118, in Chapter 11 under Natural Park Master Plan, the third bullet recommendation shall be revised as follows:

- Reduce paving and maintain structural stability at off-street turnout parking by providing head-in parking. If it becomes necessary to reduce parking in the parking lots adjacent to the coastal bluffs in order to reduce erosion, all feasible measures to replace any removed parking spaces in the immediate vicinity on a one-to-one ratio shall first be explored. If it is then determined that such parking cannot be provided in the immediate area, removal of parking spaces shall be kept to a minimum and said parking areas shall be reserved for public use only. Provide ADA accessible parking, remove excess parking and restore to natural soil surface and/or native vegetation. Drain parking lot paving toward street to collect surface runoff into storm drain system (see Figure 24 & 25).

9) On Page 124, in Chapter 11 under Natural Park Master Plan, the following recommendation shall be revised as follows:

- Reduce size of Upper Parking Lot only after alternatives are developed which would provide alternate public parking opportunities. Access shall not be eliminated at this location in the future (after 2017), unless alternative public access is developed to this viewing location and park entrance. ~~and restore area with native vegetation.~~ Retain spaces for Park viewing and access, trail access, and interpretive and other Park use.

**PART IV. FINDINGS FOR DENIAL OF CERTIFICATION OF THE SUNSET CLIFFS NATURAL PARK MASTER PLAN LAND USE PLAN AMENDMENT, AS SUBMITTED**



**A. AMENDMENT DESCRIPTION**

The proposed submittal consists of a comprehensive master plan for Sunset Cliffs Park (hereinafter re-named to Sunset Cliffs *Natural* Park as a result of the new master plan) in the Peninsula community planning area, which is in the City of San Diego. Through the proposed amendment, the “Sunset Cliffs Natural Park Master Plan” will be incorporated into the certified Peninsula Community Plan, which is a part of the City’s certified LCP. The plan is essentially a new plan document consisting of an entirely new LCP Land Use Plan (LUP) specifically for the Sunset Cliffs Natural Park that addresses several issues and contains many recommendations and policies.

The Sunset Cliffs Natural Park Master Plan (“SCNPMP”) has been developed to address the coastal issues which have been identified by the community, Friends of Sunset Cliffs, and the City, as well as other interested parties. The scope of the plan area encompasses approximately 68 acres of oceanfront land on the Point Loma peninsula. All of this area is within the Coastal Zone and the plan document includes issues and policies related to the requirements of the Coastal Act. The report has been organized to address the following policy groups: Public Access (and Visual Access) and Drainage/Erosion Control.

The plan document has been grouped into several sections. The first part gives the introduction (setting, etc.) following by the planning approach. The master plan is broken down into the following headings: activity use; access and circulation; buildings, utilities and infrastructure; native plant preservation; site amenities; preservation/restoration; public interface; natural park master plan; and, phasing and implementation. Under each category, there is a group of recommendations. A last component of the master plan discusses phasing of the proposed recommendations and improvement for the park. Again, the first priority of the master plan is the recovery and preservation of natural resources of the Sunset Cliffs Natural Park. The first recommendation is the implementation of the on-site comprehensive drainage study and drainage plan. Under Phase I improvements, several recommendations are made of the linear park and hillside park. The improvements are divided into three phases. Under the Ridge Slope - Phase Three recommendations it is stated: reduce size of Upper Parking Lot and restore area with native vegetation. Another recommendation calls for exploring alternatives for the usefulness of the Western Loop Road when the use agreement expires in 2017. These recommendations raise potential concerns with regard to Coastal Act consistency in terms of public access and are addressed in the remainder of the staff report.

**B. CONFORMANCE WITH SECTION 30001.5 OF THE COASTAL ACT**

The Commission finds, pursuant to Section 30512.2b of the Coastal Act, that portions of the Land Use Plan as set forth in the preceding resolutions, are not in conformance with the policies and requirements of Chapter 3 of the Coastal Act to the extent necessary to achieve the basic state goals specified in Section 30001.5 of the Coastal Act which states:

The legislature further finds and declares that the basic goals of the state for the Coastal Zone are to:

- a) Protect, maintain and, where feasible, enhance and restore the overall quality of the coastal zone environment and its natural and manmade resources.
- b) Assure orderly, balanced utilization and conservation of coastal zone resources taking into account the social and economic needs of the people of the state.
- c) Maximize public access to and along the coast and maximize public recreational opportunities in the coastal zone consistent with sound resource conservation principles and constitutionally protected rights or private property owners.
- (d) Assure priority for coastal-dependent and coastal-related development over other development on the coast.
- (e) Encourage state and local initiatives and cooperation in preparing procedures to implement coordinated planning and development for mutually beneficial uses, including educational uses, in the coastal zone.

The Commission therefore finds, for the specific reasons detailed below, that the land use plan does not conform with Chapter 3 of the Coastal Act or the goals of the state for the coastal zone with regards to public access, unless modified as addressed in detail below.

### **C. CHAPTER 3 CONSISTENCY**

**1. Public Access (and Visual Access).** The Chapter 3 policies most applicable to this planning area are as follows, and state, in part:

#### **Section 30210**

In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.

#### **Section 30211.**

Development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation.

Section 30212.

(a) Public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development projects except where:

(1) it is inconsistent with public safety, military security needs, or the protection of fragile coastal resources,

(2) adequate access exists nearby, or,

[...]

Section 30251

The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas....[Emphasis added]

Section 30212.5

Wherever appropriate and feasible, public facilities, including parking areas or facilities, shall be distributed throughout an area so as to mitigate against the impacts, social and otherwise, of overcrowding or overuse by the public of any single area.

Section 30213

Lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred.

The commission shall not: (1) require that overnight room rentals be fixed at an amount certain for any privately owned and operated hotel, motel, or other similar visitor-serving facility located on either public or private lands; or (2) establish or approve any method for the identification of low or moderate income persons for the purpose of determining eligibility for overnight room rentals in any such facilities.

Section 30221

Oceanfront land suitable for recreational use shall be protected for recreational use and development unless present and foreseeable future demand for public or commercial recreational activities that could be accommodated on the property is already adequately provided for in the area.

Section 30222

The use of private lands suitable for visitor-serving commercial recreational facilities designed to enhance public opportunities for coastal recreation shall have priority over private residential, general industrial, or general commercial development, but not over agriculture or coastal-dependent industry.

Section 30223

Upland areas necessary to support coastal recreational uses shall be reserved for such uses, where feasible.

Section 30250

[...]

- (a) Visitor-serving facilities that cannot feasibly be located in existing developed areas shall be located in existing isolated developments or at selected points of attraction for visitors.

Section 30252.

The location and amount of new development should maintain and enhance public access to the coast by (1) facilitating the provision or extension of transit service, (2) providing commercial facilities within or adjoining residential development or in other areas that will minimize the use of coastal access roads, (3) providing nonautomobile circulation within the development, (4) providing adequate parking facilities or providing substitute means of serving the development with public transportation, (5) assuring the potential for public transit for high intensity uses such as high-rise office buildings, and by (6) assuring that the recreational needs of new residents will not overload nearby coastal recreation areas by correlating the amount of development with local park acquisition and development plans with the provision of onsite recreational facilities to serve the new development.

In the master plan under the chapter addressing public access, there are a number of recommendations proposed that address preservation of physical and visual access. Some of these include the demolition of structures on the Loma Land properties to restore views and passive park uses. Presently, there are two residential structures that are inconsistent with park use. It is planned for these structures to eventually be removed, the area re-graded and re-vegetated and restored to park use. It is further stated that the demolition of the Corbin House, one of the two structures, shall be determined upon further historical analysis. Another recommendation calls for the provision of visually compatible, primary observation points (seating/resting forms and/or interpretive signage) at the west end of the Upper Parking Lot, Loma Land properties area and Upper

Canyon overlook area. For activity use, the plan recommends encouraging activities appropriate for the coastal terrace area of the Park: limited vehicular access and parking, pedestrian use, jogging, reflecting, exploring, bird watching, plant study, photography, and sight viewing. Also proposed is the provision of visually compatible, primary observation points at the Hillside Park (seating/resting forms and/interpretive signage) along the western coastal terrace at a safe distance from the cliffs. Provision of secondary observation points with the same design criteria at the Hillside Park (seating/resting forms) are also proposed.

The master plan also contains recommendations that call for the provision of an extensive trail system as follows:

### ***Scenic Trail System***

Develop a comprehensive, scenic trail system connecting various Park use areas and linking the Park with the surrounding community. Trail layout should be sensitively designed as an integral part of the Park, and where environmentally appropriate, shall use the present trails as the basic guide to where trails should be located. Trails should be designed to respect the natural topography, maximize view opportunities and preserve coastal resources. Establish a hierarchy of trails including primary trails and secondary trails.

### ***Primary Trails***

The primary trails shall be 6' maximum width, variable width, ADA accessible, and developed to encourage users to remain on the trail. Surfacing to be natural stabilized surface conducive to walking barefoot.

Establish a continuous 1.5-mile, "Sunset Cliffs Coastal Trail". The scenic cliff side pedestrian trail shall span from a new Park entry at the Linear Park (west of Adair Street/Sunset Cliffs Boulevard intersection) to the southernmost boundary of the Hillside Park. The trail should be located proximate to the cliffs to emphasize views of natural cliffs and surf, but safely aligned to minimize use of view obstructing railings.

At the Linear Park, where feasible, allowance shall be made for a pedestrian trail, the trail shall be located off-street and west of sunset Cliffs Boulevard. Where insufficient Park width remains due to cliff erosion, trail shall transition to a sidewalk adjacent to the street.

Encourage the creation of a "Point Loma Trail" that would link the Sunset Cliffs Natural Park to the Cabrillo National Monument.

### ***Secondary Trails***

Secondary trails shall be, 4 feet maximum, variable width, ADA accessible where environmentally feasible, and developed to encourage users to remain on the trail. Surfacing to be a natural stabilized surface conducive to walking barefoot.

### ***Tertiary Trails***

Tertiary trails will be replanted with native vegetation. To facilitate native plant vegetation and to discourage continued use of tertiary trails, protection and temporary unobtrusive signage may be provided to educate the public on the importance of reestablishing native plant communities and limiting foot traffic and resultant erosion within the Park.

### ***Trail Enhancement and Amenities***

Construct trailheads at the Adair Street/Sunset Cliffs Boulevard and the Lower parking lot of the Hillside Park to provide orientation for park users. (refer to Vehicular Circulation section for new park entry recommendations).

Develop trail overlooks, observation points and interpretive areas in a sensitive manner that minimized visual and environmental impacts. Incorporate informational, safety and interpretive theme signage that appropriately complements the coastal setting (refer to Park Signage recommendation in Chapter8).

### ***Beach Access***

Beach access is needed and encouraged to allow public access to water-oriented activities such as tide pooling, swimming, surfing and fishing. The Ladera Street stairs provides beach access at the north end of Garbage Beach, yet it is in need of refurbishment. An alternate beach access point to Garbage Beach is desired. Access to Ab's Reef beach has suffered from undefined trail use, resulting in soils compaction and erosion. Formal access to No Surf Beach, a small pocket severely constrained by tall vertical cliffs, would required further study to determine feasibility of public access.

### ***Recommendations***

#### ***Ladera Street Stairway***

Maintain and upgrade the existing stairway to enhance user safety via surface improvements such as new handrails, and concrete patching. Preclude structural improvements that may disturb the cliff face or coastal terrace.

#### ***Garbage Beach Access***

Investigate alternative alignments from the lower parking lot that would provide safe access to Garbage Beach. Access shall be designed in a sensitive manner (alignment, attachment, material and appearance) to compliment the coastal bluffs and promote responsible use of susceptible resources.

#### ***Ab's Reef Beach***

Mitigate continuing erosion due to excess trail use and surface runoff via erosion control planting, redirection of storm drainage and other environmentally sensitive methods. Preclude trail access improvements due to sensitive bluff formations and user safety concerns.

***No Surf Beach***

Conduct a specific study, apart from the Master Plan, to determine access feasibility considering demand, geological constraints, specific access location(s) and potential cost impacts.

With regard to the above recommendation for refurbishment of the Ladera Stairway, this one element of the plan has already been completed by the City of San Diego.

The master plan addresses vehicular circulation throughout the park. It is stated that existing vehicular access and parking for Sunset Cliffs Natural park is currently adequate to permit public enjoyment of the scenic bluffs and cliffs. Plan recommendations include the creation of park entrances at the linear park through installation of appropriate park identification signage, accent native plants, seating/resting forms and trailhead furnishings. Second and third park entry identification points are also recommended at the Hillside Park's Lower Parking Lot and at the Hillside Park's Catalina Boulevard entrance (this is through the Point Loma Nazarene University). Signage from both directions on Catalina Boulevard should clearly indicate the public access.

The plan document also addresses parking along the linear park, hillside park, and lower parking lot. The recommendation for the lower parking lot states the following:

Reconstruct Lower Parking Lot. Provide off-street parking to accommodate the current parking demand. Configure parking lot to maximize paving efficiency and coordinate design with the comprehensive drainage system to minimize erosion impacts. Provide solar powered emergency phone in close proximity to lower parking lot. Provide accessible parking.

The Lower Parking Lot is located adjacent to Garbage Beach which is a heavily-used beach for surfing and sunbathing. Just west of the parking lot the edge of the bluff is roped off and there is signage which states "Danger-Unstable Bluffs-Stay Back". A drainage swale goes down the bluff face to the ocean. The bluff is severely eroded. Through the years there has been a number of ropes and chains dangling over the bluff tied to the fence above which beach-goers use to stable themselves as they maneuver down the bluff face to reach the beach. There is a high demand for an improved access point/public access stairway at this location. Consistent with the plan recommendations enumerated above, further studies will be conducted to determine the future construction of such a stairway at this location, as well as public restrooms, as well.

There are also recommendations for the Upper Parking Lot and the Western Loop Road throughout the SCNPMP. Near the eastern boundary of the park with the Point Loma Nazarene University there is a roadway called the Western Loop Road. This road provides access to the park through a 25-year use agreement (ending in 2017) with the City. Traffic along the roadway impacts the Park, since speeding vehicles pose a safety concern and the road is not screened from park users' view. With the addition of a pedestrian trail near the roadside, the roadway and adjoining path will offer additional

viewing opportunities of the Hillside Park. The master plan states that it would be appropriate to evaluate the usefulness of the roadway in a natural park context when the agreement expires in 2017. A plan recommendation calls for the installation of traffic calming devices and construction a pedestrian walkway along the roadway parallel with the roadway from the Upper Parking Lot to the base of the hill. The walkway is proposed to be connected to the proposed park trail system.

While the majority of these policies addressing improvements to public access in the Sunset Cliffs Natural Park are consistent with the Coastal Act, as they will enhance public access, there are four recommendations that are problematic. First, the plan recommends the provision of visual screening of the Western Loop Road from view of Park users. Second, it is also stated that if the Western Loop Road vehicular access to the upper Hillside Park and Upper Parking Lot is eliminated after expiration of the City/University use agreement in 2017, an investigation of the removal of the entire Upper Parking Lot area and restoration of native vegetation is recommended. With regard to the first statement, although the provision of landscaping to visually screen the Upper Parking Lot is proposed, the parking lot is located on public parkland and is used as a coastal viewing area. The provision of any landscaping to “visually screen” the parking lot from public views from the hillside park below from the rest of the hillside park could potentially block public views *to* the ocean. Therefore, absent clarifying language which addresses the planting of low-level vegetation that will not block ocean views from the public parking area looking west *to* the ocean, consistent with Coastal Act policies, this portion of the LCP must be denied as submitted.

With regard to the second recommendation, it is suggested that the Upper Parking Lot may be closed to public use at some point in the future after the agreement between the City and college terminates. It also suggests that the upper parking lot may be reduced in size. To give a little background, in 1991 the City approved a coastal development permit and conditional use permit for the adjacent Point Loma Nazarene “College” (now called “University”) for several improvements on the campus. As part of the proposed development, closure of the campus Western Loop Road and existing parking lot (Upper Parking Lot) were proposed. The Point Loma Nazarene College and the Coastal Commission appealed the permit (#A-6-PEN-91-55) as the closure of the Western Loop Road and Upper Parking Lot on public parkland would have had adverse impacts to public access at this location.

After the Commission found substantial issue on the appeal, the *de novo* permit required that an agreement between the College and Coastal Commission be made to maintain public access through the college property to the Western Loop Road extending to Sunset Cliffs Natural Park (ref. Exhibit No 3 CDP #A-6-PEN-91-55). In addition, a program was required to facilitate and enhance public use of the Upper Parking Lot by means of the installation of signage at two locations. At the entrance to the Point Loma Nazarene University on Lomaland Drive, there is presently a sign which reads “Access to Coastal View Area” (or similar wording to that effect) which was installed pursuant to this special condition. Another condition of that permit (#3) required that the Upper Parking Lot not be closed and that any future proposals for closure and removal of the parking lot



on the City property would require a separate coastal development permit to be obtained by the City.

These facilities provide an excellent location for viewing the ocean from a higher vantage point for all members of the public as well as for those individuals who are less amble and enjoy driving their vehicles to a vantage point where they can remain in their cars and enjoy the public views of the ocean from afar. Not only does the upper parking lot provide panoramic views of the ocean, it is also an excellent vantage point for views of the Park itself. Without some changes to these recommendations to make clear these facilities are important public access resources which must be maintained or replaced in similar kind, the plan cannot be supported. The Commission finds these facilities should only be modified if suitable alternatives are in place which will maximize public views and public access. Without these provisions, the LCP must be denied as submitted.

A third recommendation, which is problematic in terms of public access, is in regard to the parking areas adjacent to the linear park. It is stated in the plan that as cliff retreat progresses, removal of parking over mature sea caves and replacement in areas behind seawalls or other stable areas shall be proposed. Conversion of off-street turnout bays to head-in street parking spaces is proposed to reduce pavement area, reduce potential erosion of the cliffs and facilitate implementation of the primary trail (i.e., a defined trail which will be provided along the bluff top). It is further stated that if it is not feasible to replace spaces lost due to turnout parking bay closures on a one-to-one basis, a decreased number of spaces will be acceptable to meet the overriding need of maintaining public safety. The removal of public parking from these parking lots raises potential concerns with regard to consistency with public access policies. Absent language which addresses exploring other alternatives *first* before removal of such parking and that if removal of parking is found necessary, that parking removal be kept to a minimum and be reserved for public use only, the proposed LCP language cannot be approved as submitted.

A fourth and last recommendation that raises concerns is with regard to the provision of public trails throughout the park. As there are numerous foot trails throughout Sunset Cliffs Park and paths that lead down to the beach, it is important to assure that maximum access to the sea is provided by maintaining the existing trails and paths. Closure would be permissible if necessary to eliminate impacts on sensitive vegetation and/or to reduce off-shoots from existing trails to protect the fragile coastal bluffs from further erosions. Throughout the Sunset Cliffs Master Plan, existing trails will be more clearly defined through installation of rope barriers, signage, etc. However, absent language to provide the maximum protection for existing trails and paths, the plan cannot be approved as submitted.

## **2. Drainage/Water Quality.**

The Chapter 3 policies most applicable to this planning issue are as follows, and state, in part:

### Section 30230.

Marine resources shall be maintained, enhanced, and where feasible, restored. Special protection shall be given to areas and species of special biological or economic significance. Uses of the marine environment shall be carried out in a manner that will sustain the biological productivity of coastal waters and that will maintain healthy populations of all species of marine organisms adequate for long-term commercial, recreational, scientific, and educational purposes.

Section 30231.

The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface water flow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.

Section 30232.

Protection against the spillage of crude oil, gas, petroleum products, or hazardous substances shall be provided in relation to any development or transportation of such materials. Effective containment and cleanup facilities and procedures shall be provided for accidental spills that do occur.

The master plan discusses the need to correct the severe drainage and erosion problem in the park. As stated in the plan, “A casual walk along the Park reveals evidence of man’s intrusions on natural processes: accelerated bluff retreat and excess erosion due to inadequate drainage methods; compacted soils and lack of native vegetation from random foot traffic; eroded gullies from artificial drainage courses; unnatural seawall and rip rap erosion control materials; and once pristine views marred by unnatural foreground elements.

Urban runoff is causing significant erosion to the Park from the top down as water moves from the hard surface of streets and sidewalks to the soft soils and sandstone of the parkland. When water seeps through the land in subsurface channels, it emerges at the cliff face as cliff weeps.

As stated in the Master Plan, the first priority of the Master Plan is the recovery and preservation of the natural resources of the Sunset Cliffs Natural Park. In fact, the first recommendation under this section addressing drainage and erosion controls states the following:

“Prior to implementation the following recommendations for the development of the Park, the initiation and implementation of an environmentally responsible comprehensive

on-site drainage study and drainage plan for the Park, resulting in specific recommendations should be developed and approved.”

The plan then divides the proposed recommendations into two predominant sections--those for the linear park and those for the hillside park, followed by those for the Coastal Terraces, South Coastal Terrace and Ridge Slope areas. The first group for the linear park includes some of the following:

- Implement a new on-site comprehensive drainage system (capture, collect, treat and convey) to minimize surface/subsurface erosion; groundwater seepage and pollutant discharge using best management practices. Provide controls to minimize discharge of pollutants to the maximum extent practicable to maintain groundwater and ocean water quality.
- Pipe out fall construction methods and techniques shall be unobtrusive in design; conduct runoff safely to the ocean without damage to the cliffs, inter tidal/subtotal zones, reefs and surf; and minimize pollutant discharge.

The hillside park recommendations include the following:

- Recover eroded and exposed soil areas with native vegetation per proposed native plant preservation and revegetation program.

For the South Coastal Terrace area, a recommendation states the following:

- Divert drainage away from the eroded canyon areas (drainage gully) by implementing new comprehensive drainage solutions. Restore the eroded canyon by filling to more natural finish grade (following contours of the natural canyon) and revegetate with native shrub and ground cover plants.
- Eliminate the existing athletic field. Initial phase: discontinue irrigation and turf maintenance. Future phase: remove fence, remove fill on western edge, recontour and revegetate with native plant material.
- Eliminate erosion on steep slopes through planting of native plants. Remove non-native plants.

Throughout the entire master plan document, it is stated again and again that the first priority is to implement a comprehensive drainage study prior to implementation of the recommended improvements for the park. The only improvement described in the plan document that has been completed to date is the refurbishment of the Ladera stairs, a public beach access stairway at the foot of Ladera Street. This component of the plan (c) was completed in 2004 as it was a public safety issue and needed immediate attention.

In the hillside park, there is a very deep and severely eroded gully, known as “the badlands” in exhibits contained in the SCNPMP which is the result of uncontrolled runoff from improvements to the east of the park. Through implementation of the drainage improvements, it is the plan goal to prevent any further erosion of the park area and to repair the existing eroded areas through revegetation, etc. A primary goal throughout the plan for revegetation and restoration of the park’s resources is to phase-out and remove existing invasive and non-native vegetation and replace with native vegetation compatible with the habitat value of the park.

**PART V. FINDINGS FOR APPROVAL OF THE SUNSET CLIFFS NATURAL PARK MASTER PLAN LAND USE PLAN, IF MODIFIED**

**A. SUMMARY FINDING/CONFORMANCE WITH CHAPTER 3 OF THE COASTAL ACT**

There are a number of recommendations pertaining to protection of public access and protection of public views to, and along the ocean in the submitted Land Use Plan/Sunset Cliffs Natural Park Master Plan.

1. Public Views. The SCNPMP contains recommendations for improving visual access to the ocean such as installation of observation points in several places of the park. In addition, as stated in the introduction to the master plan, “The scenic and dramatic cliffs bordering the Point Loma peninsula’s western shoreline have long served as a natural attraction for San Diego residents and visitors alike. Rising over 300 feet above sea level, the Park site offers expansive views overlooking the Pacific Ocean...”, “People enjoy the Park environment for its prime location with ocean views and its many recreational activities...” Pertaining to the protection of public views, the Commission is suggesting a modification be made to a recommendation contained in the plan that refers to the provision of visual screening of the Lower Parking Lot from the adjacent neighborhood in a manner not to interfere with public views. The language is not clear that it is the ocean view that must be protected. Similarly, a modification is suggested to a recommendation contained in the plan that refers to the reconfiguration of the Upper Parking Lot to accommodate park needs only and which includes a statement about restoring the area with native vegetation. It is not clear that through installation of such vegetation, that public views to the ocean be preserved. Therefore, language is added in Suggested Modification #1 & 7 to refer to the protection of public views toward the ocean from the parking lot(s).

Another recommendation calls for the visual screening of the Lower Parking Lot from the adjacent neighborhood in a manner not to interfere with favorable views. Again, the language does not specifically call for the protection of public views to the ocean from the public right-of-way (i.e., in this case such views might be from Ladera Street). As such, language is added to the recommendation to make it clear that the public view corridors to the ocean from the public right-of-way will also be maintained.

On a related point, the master plan describes improvements to the Western Loop Road in several places in the master plan. It calls for visual screening of the road from view of park users west of the Western Loop Road. Again, it is not made clear that through the installation of such vegetation or screening, the public views to the ocean from the parking lot will be protected. Language is added (Suggested Modification #5) to strengthen the recommendation that visual screening of the road from view of park users west of the Western Loop Road will be provided, but that such planting will be low-level vegetation (generally, about three feet in height), that does not obstruct public views of the ocean from the public parking lot.

2. Public Access. Several other recommendations proposed in the master plan address the potential for removal of the Western Loop Road in the future after an agreement with the City expires (in the year 2017). Other recommendations address a possible reduction in the amount of parking in the parking lots in the linear park.

As stated in the findings for denial, the Upper Parking Lot provides an excellent opportunity for the public to view the ocean from an unobstructed and scenic vantage point. As such, it is a coastal resource of public importance. Therefore, Suggested Modification #4 adds clarifying language to a plan recommendation addressing vehicular circulation to assure the parking facility is recognized as parking for park users where panoramic views of the ocean can be seen, and that it is important facility and public resource. The recommendation is strengthened through additional language which clearly states that removal of the upper parking lot should not be considered unless alternatives are developed that provide equal or better public access and public views. The revised recommendation states that alternative access must be in place first, if access is to be eliminated at this location in the future.

With regard to the parking lots adjacent to the linear park, the master plan discusses the problems with erosion in the area and re-striping/reconfiguration of the parking lots so that the cars will not be located as close to the bluff edge as they presently are. Part of these improvements also include a recommendation that if it is not feasible to replace parking spaces lost due to the turnout parking bay closures proposed on a one-to-one basis, a decreased number of spaces will be acceptable to meet the overriding need of maintaining public safety. Given the importance of maintaining public access to this nearshore area, it is necessary to clarify in the plan recommendation that, if it becomes necessary to reduce the parking in these parking lots, that all feasible measures to replace any removed parking spaces in the immediate vicinity on a one-to-one ratio shall first be explored. If it is then determined that such parking cannot be provided in the immediate area, removal of parking spaces shall be kept to a minimum and said parking areas shall be reserved for public use only. With inclusion of this language, it can be assured that public access will be protected, consistent with the Chapter 3 policies of the Coastal Act.

Also pertaining to public access, the Commission is suggesting a modification be made to a recommendation contained in the plan that addresses trails throughout the park. There are numerous informal, undeveloped foot paths and trails throughout the park. Some of these are proposed to be closed to eliminate impacts on sensitive vegetation and/or to

reduce off-shoots from existing trails to protect the fragile coastal bluffs from further erosion. However, to assure that maximum access to the sea is provided, language is added to the section of the master plan that provides that trails and paths may only be eliminated in those limited situations. Only with this language can the master plan be found consistent with Section 30210 and 30211 of the Coastal Act.

**PART VI. CONSISTENCY WITH THE CALIFORNIA ENVIRONMENTAL  
QUALITY ACT (CEQA)**

Section 21080.5 of the California Environmental Quality Act (CEQA) exempts local government from the requirement of preparing an environmental impact report (EIR) in connection with its local coastal program. Instead, the CEQA responsibilities are assigned to the Coastal Commission and the Commission's LCP review and approval program has been found by the Resources Agency to be functionally equivalent to the EIR process. Thus, under CEQA Section 21080.5, the Commission is relieved of the responsibility to prepare an EIR for each LCP.

Nevertheless, the Commission is required in an LCP submittal or, as in this case, an LCP amendment submittal, to find that the LCP, or LCP, as amended, does conform to CEQA provisions. As discussed above, as modified, the amendment can be found fully consistent with the public access, public views and drainage/water quality protection policies of the Coastal Act. No adverse impacts to coastal resources are anticipated. There are no feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect which certification of the LCP, as modified, may have on the environment.